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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,365	03/15/2001	Masaru Takahashi	P 279135 T4A0A-00S1170	3416

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EXAMINER

ONUAKU, CHRISTOPHER O

ART UNIT PAPER NUMBER

2616

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/808,365

Applicant(s)

TAKAHASHI, MASARU

Examiner

Christopher Onuaku

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,9-12,14-16,19 and 20 is/are rejected.
- 7) ☒ Claim(s) 3,7,8,13,17 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/30/03&3/15/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,2,4-6,9-12,14-16,19&20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshinobu et al (US 5,686,954).

Regarding claim1, Yoshinobu et al disclose a program information broadcasting system for broadcasting information of the kinds of each of programs to be broadcast and information of elements included in a program and a receiving device capable of easily reserving a program by using program schedule data displayed by the program information display method, comprising:

a) reservation controller for recording a plurality of desired programs on a recording medium so as to reserve in advance a playback order of the plurality of recorded programs (see Fig.10&20; system control section 100 of Fig.10; col.28, line 35 to col.29, line 50);

b) creator for creating a user original program guide on the basis of the playback order reserved by the reservation controller (see col.23, line 61 to col.24, line 25; and col.30, lines 10-47);

c) reproducer for playing back the plurality of recorded programs in order based on the program guide (see Fig.10,11&21; remote control commander 90; system control section 100; col.30, line 37 to col.31, line 27).

Regarding claim 2, Yoshinobu et al disclose playback order controller for automatically controlling the playback order of the plurality of recorded programs on the basis of at least one of the playback order reserved by the reservation controller and a log of executed playback (see Fig.10&11; system control section 100; col.30, line 37 to col.31, line 27), here examiner reads the claimed log of executed playback as the user selected list of reserved recorded programs to be played back in a playback order as desired by the user.

Regarding claim 4, Yoshinobu et al disclose display for displaying the program guide in correspondence with program guide display operation (see Fig.10, CRT display 75; col.30, lines 37-67), see the list as shown in Fig.22B as the information regarding the recorded contents prepared based on the UTOC information.

Regarding claim 5, the claimed limitations of claim 5 are accommodated in the discussions of claim 1 above.

Regarding claim 6, the claimed limitations of claim 6 are accommodated in the discussions of claim 2 above.

Regarding claim 9, the claimed limitations of claim 9 are accommodated in the discussions of claim 1 above.

Regarding claim 10, the claimed limitations of claim 10 are accommodated in the discussions of claim 4 above.

Regarding claim 11, the claimed limitations of claim 11 are accommodated in the discussions of claim 1 above.

Regarding claim 12, the claimed limitations of claim 12 are accommodated in the discussions of claim 2 above.

Regarding claim 14, the claimed limitations of claim 14 are accommodated in the discussions of claim 10 above.

Regarding claim 15, the claimed limitations of claim 15 are accommodated in the discussions of claim 1 above.

Regarding claim 16, the claimed limitations of claim 16 are accommodated in the discussions of claim 12 above.

Art Unit: 2616

Regarding claim 19, the claimed limitations of claim 19 are accommodated in the discussions of claim 9 above.

Regarding claim 20, the claimed limitations of claim 20 are accommodated in the discussions of claim 10 above.

***Allowable Subject Matter***

3. Claims 3,7,8,13,17&18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 3, the invention relates to information recording/playback apparatus which records a plurality of desired programs on a recording medium, reserves in advance the playback order of the plurality of recorded programs, creates a user original program guide on the basis of the reserved playback order, and plays back the plurality of recorded programs in an order based on the program guide.

The closest reference Yoshinobu et al disclose a program information broadcasting system for broadcasting information of the kinds of each of programs to be broadcast and information of elements included in a program and a receiving device capable of easily reserving a program by using program schedule data displayed by the program information display method.

However, Yoshinobu et al fail to explicitly disclose a playback apparatus, where the apparatus comprises playback mode selector for selecting a manual playback mode or automatic playback mode in correspondence with mode selection operation, playback start instructor for instructing playback start in correspondence with playback start operation, setter for setting a playback start time in correspondence with playback start time input operation, and playback controller for starting playback of the plurality of recorded programs in the order based on the program guide when the manual playback mode is selected by the selector and the playback start is instructed by the playback start instructor, and starting playback of the plurality of recorded programs in the order based on the program guide when the automatic playback mode is selected by the selector and the playback start time set by the setter comes.

Regarding claim 7, the invention relates to information recording/playback apparatus which records a plurality of desired programs on a recording medium, reserves in advance the playback order of the plurality of recorded programs, creates a user original program guide on the basis of the reserved playback order, and plays back the plurality of recorded programs in an order based on the program guide.

The closest reference Yoshinobu et al disclose a program information broadcasting system for broadcasting information of the kinds of each of programs to be broadcast and information of elements included in a program and a receiving device capable of easily reserving a program by using program schedule data displayed by the program information display method.

However, Yoshinobu et al fail to explicitly disclose a playback apparatus, where the apparatus comprises playback mode selector for selecting a manual playback mode or automatic playback mode in correspondence with mode selection operation, playback start instructor for instructing playback start in correspondence with playback start operation, setter means for setting a playback start time in correspondence with playback start time input operation, and playback controller for starting playback of the recorded programs in the playback order reserved by reservation controller when the manual playback mode is selected by the selector and the playback start is instructed by the playback start instructor, and starting playback of the recorded programs in the playback order reserved by the reservation controller when the automatic playback mode is selected by the selector and the playback start time set by the setter comes.

Regarding claim 8, the invention relates to information recording/playback apparatus which records a plurality of desired programs on a recording medium, reserves in advance the playback order of the plurality of recorded programs, creates a user original program guide on the basis of the reserved playback order, and plays back the plurality of recorded programs in an order based on the program guide.

The closest reference Yoshinobu et al disclose a program information broadcasting system for broadcasting information of the kinds of each of programs to be broadcast and information of elements included in a program and a receiving device capable of easily reserving a program by using program schedule data displayed by the program information display method.



However, Yoshinobu et al fail to explicitly disclose a playback apparatus, where the apparatus comprises playback order controller for automatically controlling the playback order of the plurality of recorded programs on the basis of at least one of the playback order reserved by the reservation controller and a log of executed playback, playback mode selector for selecting a manual playback mode or automatic playback mode in correspondence with mode selection operation, playback start instructor for instructing playback start in correspondence with playback start operation, setter for setting a playback start time in correspondence with playback start time input operation, and playback controller for starting playback of the plurality of recorded programs in the playback order reserved by reservation controller when the manual playback mode is selected by the selector and the playback start is instructed by the playback start instructor, and starting playback of the plurality of recorded programs in the playback order reserved by the reservation controller when the automatic playback mode is selected by the selector and the playback start time set by the setter comes.

Regarding claim 13, the invention relates to information recording/playback apparatus which records a plurality of desired programs on a recording medium, reserves in advance the playback order of the plurality of recorded programs, creates a user original program guide on the basis of the reserved playback order, and plays back the plurality of recorded programs in an order based on the program guide.

The closest reference Yoshinobu et al disclose a program information broadcasting system for broadcasting information of the kinds of each of programs to be

Art Unit: 2616

broadcast and information of elements included in a program and a receiving device capable of easily reserving a program by using program schedule data displayed by the program information display method.

However, Yoshinobu et al fail to explicitly disclose a playback method, where the method comprises the steps of starting playback of the plurality of recorded programs on the program guide created in the step of creating a user original program guide on the basis of the reserved playback order when a manual playback mode is selected and playback start is instructed, and starting playback of the plurality of recorded programs in the order based on the program guide created in the step of creating a user original program guide on the basis of reserved playback order when an automatic playback mode is selected and a preset playback start time comes.

Regarding claim 17, the invention relates to information recording/playback apparatus which records a plurality of desired programs on a recording medium, reserves in advance the playback order of the plurality of recorded programs, creates a user original program guide on the basis of the reserved playback order, and plays back the plurality of recorded programs in an order based on the program guide.

The closest reference Yoshinobu et al disclose a program information broadcasting system for broadcasting information of the kinds of each of programs to be broadcast and information of elements included in a program and a receiving device capable of easily reserving a program by using program schedule data displayed by the program information display method.

However, Yoshinobu et al fail to explicitly disclose a playback method, where the method comprises the steps of starting playback of recorded programs on the basis of the playback order reserved in the step of reserving recording of desired programs and a playback order of the recorded programs when a manual playback mode is selected and playback start is instructed, and starting playback of the recorded programs on the basis of the playback order reserved in the step of reserving recording of desired programs and a playback order of the recorded programs when an automatic playback mode is selected and a preset playback start time comes.

Regarding claim 18, the invention relates to information recording/playback apparatus which records a plurality of desired programs on a recording medium, reserves in advance the playback order of the plurality of recorded programs, creates a user original program guide on the basis of the reserved playback order, and plays back the plurality of recorded programs in an order based on the program guide.

The closest reference Yoshinobu et al disclose a program information broadcasting system for broadcasting information of the kinds of each of programs to be broadcast and information of elements included in a program and a receiving device capable of easily reserving a program by using program schedule data displayed by the program information display method.

However, Yoshinobu et al fail to explicitly disclose a playback method, where the method comprises the steps of controlling the playback order of the recorded programs on the basis of at least one of the playback order reserved in the step of reserving

recording of desired programs and a playback order of the recorded programs and a log of executed playback, starting playback of the recorded programs on the basis of the playback order reserved in the step of reserving recording of desired programs and a playback order of the recorded programs when a manual playback mode is selected and playback start is instructed, and starting playback of the recorded programs on the basis of the playback order reserved in the step of reserving recording of desired programs and a playback order of the recorded programs when an automatic playback mode is selected and a preset playback start time comes.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee et al (US, 5,654,944) teach a method of reproducing a reserved program in which searching time, associated with reproducing a reserved program, is reduced, and a compact disc player adopting the method.

Yang (US 5,270,829) a method of automatically reserve-recording and reserve-playing back a broadcast program, including recording broadcast programs such as news, education and language programs from a television or a radio broadcast at a particular time and automatically playing back the recorded programs at a time specified by a user.

Nozaki et al (US 6,501,727) teach a recording medium and recording/playback apparatus capable of recording and reproducing recording reservation information,

Art Unit: 2616

including an apparatus which can be effectively incorporated into a digital video disk recording/playback apparatus.

Inuoe et al (US 6,185,360) teach an information receiving method capable of recording by reservation and an information receiving apparatus using the same method.

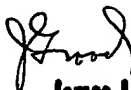
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Onuaku whose telephone number is 571-272-7379. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
COO

7/6/05

  
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Art Unit-2622616